

## REMARKS

### Request for Reconsideration

Applicants have carefully considered the matters raised by the Examiner in the outstanding Office Action but remain of the opinion that patentable subject matter is present. Applicants respectfully request reconsideration of the Examiner's position based on the above amendments to the Specification and Claims and the following Remarks.

### Claims Status

Claims 1-7 have been canceled and Claims 8-21 have been added. It will be noted that Claims 8-21 essentially mirror Claims 1-7 except that Claims 8-14 present the claimed subject matter as method claims while Claims 15-21 present the subject matter as the composition of matter, namely, a readable medium. No new matter has been added.

### The Present Invention

The method and readable medium of the present Invention are directed to data storage. One of the novel aspects of the present Invention is that additional data sets are stored in the recording section if the additional data set has a data control structure that is the same as

the data control structure of the stored data set. In other words, when the data control structure of both the additional data set and the stored data set are the same, then the additional data set is stored. For example, when the data control structure of data stored in photographic equipment, such as a digital camera, is the same as the data control structure of data already stored in the memory of a computer, then the data that is in the digital camera is stored in the data recording section of the computer. This means that the user does not have to consider the data structure of either the recording section or the camera. This makes it very easy for the user to store data. The Examiner's attention is directed to page 4, lines 4 through 20, wherein the Application points out that one of the problems with Prior Art.

This Application contains independent Claims 8 and 15 upon which all other claims depend. Both Claims 8 and 15 recite that the additional data is written into the recording section when the data control structure of the additional data is the same as the data control structure of the data stored in the recording section. Such aspect is neither taught nor suggested in the art cited by the Examiner.

### Prior Art Rejection

Claims 1 and 3-5 have been rejected as being anticipated by Yaegashi, while Claims 2, 6 and 7 have been rejected as being unpatentable over a combination of Yaegashi and Ohmura.

Claims 1-7 have been canceled herein and Claims 8-21 are presented for further prosecution. As noted above, Claims 8 and 15 are independent claims herein and each of these claims recites that the additional data is stored in the recording section when the data control structure of the additional data is the same as the data control structure in the stored data. Such is not taught nor suggested in either Yaegashi or Ohmura.

Yaegashi is directed to an editing method for film. Yaegashi does not teach nor suggest analyzing the data control structure of additional data and stored data to determine whether or not they are the same data control structure and then adding the additional data to the stored data when the data control structure of the two are the same.

The Examiner has cited Figures 9-11, 13A, and Column 12, lines 4-24 of Yaegashi for teaching the analyzing section. This portion of Yaegashi teaches storing images in a hierarchical manner, however, it does not analyze the data structure of the stored data and the data to be added to determine whether or not they both have the same data control structure and then adding the additional data to the stored data if the two have the same data control structure. Thus, it is respectfully submitted that the claims as presented herein are patentable over Yaegashi.

Ohmura does not teach or suggest analyzing additional data to determine whether the data control structure of the additional data is the same as the data control structure of the stored data. Thus, it is respectfully submitted that the combination of Yaegashi and Ohmura does not teach or suggest the invention as recited in the claims presented herein.

Claim 1 rejected under 35 USC 112, second paragraph:

Claim 1 had been rejected as being incomplete for omitting essential structural elements. Claim 1 has been canceled herein and Claims 8 and 15 are the independent claims presented herein. It will be noted that each of these claims recited that a predetermined condition which

was referred to in Claim 1, is the determination of whether or not the additional data set has the same data control structure as the stored data set. Thus, Claims 8 and 15 as presented herein do recite the essential element of comparing the data structure of the additional data and the stored data. Thus, it is submitted that Claims 8 and 15 are complete.

Claims 1-7 were rejected under 35 USC 101.

Claims 1-7 have been rejected as being directed to non-statutory subject matter.

Claims 1-7 have been canceled herein and Claims 8-21 presented. As noted above, Claims 8-14 are directed to a method while Claims 15-21 are directed to a readable medium. Such claims are deemed to be acceptable patentable subject in the U.S., see, for example, Claim 15 of Yaegashi which is also directed to a readable medium. Respectfully, Claims 8-21 are directed to patentable statutory subject matter.

### Information Disclosure Statement

Attached hereto, is an International Search from the corresponding International Application. Also enclosed is PTO Form SB/08A citing each of the references cited in the International Search and copies of each of the references cited in the International Search. Furthermore, attached is PTO Form 2038 to pay for this Information Disclosure Statement since this Information Disclosure Statement is made in accordance with 1.97(c)(2).

### Conclusion

In view of the foregoing and the enclosed, it is respectfully submitted that the Application is in condition for allowance and such action is respectfully requested.

Should any further fees or extensions of time be necessary in order to maintain this Application in pending condition or in order to consider the Information Disclosure Statement presented herein, requests are hereby

made and authorization is given to debit Account No. 02-2275.

Respectfully submitted,

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